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1634

PTO/SB/21 (09-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/766,273
Filing Date	January 18, 2001
First Named Inventor	BITTNER et al.
Art Unit	1634
Examiner Name	CROW, Robert Thomas
Attorney Docket Number	5100-0707

**ENCLOSURES (Check all that apply)**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply (6 pgs)<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Print-out from PAIR (2 pgs)<br>Copy of documents previously filed on November 15, 2002 (total 25 pages and 1 floppy disc)<br>Copy of documents previously filed on December 26, 2001 (total 9)<br>Copy of Restriction Requirement date mailed November 27, 2001 (5 pgs)<br>Return Receipt Postcard |
|---|---|---|

Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 18-1648.
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Robins & Pasternak LLP		
Signature			
Printed name	Roberta L. Robins		
Date	5/22/06	Reg. No.	33,208

**CERTIFICATE OF TRANSMISSION/MAILING**

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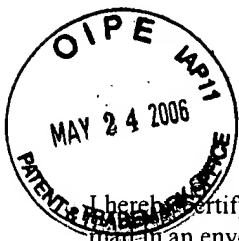
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Denise M. Vaillancourt

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Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BITTNER et al.

Confirmation No.: 1332

Serial No.: 09/766,273

Art Unit: 1634

Filing Date: January 18, 2001

Examiner: CROW, Robert Thomas

Title: OLIGONUCLEOTIDE-TAGGED SEMICONDUCTOR NANOCRYSTALS  
FOR MICROARRAY AND FLOURESCENCE IN SITU HYBRIDIZATION

AMENDMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Restriction Requirement mailed April 25, 2006 with a shortened statutory period of one month for response. Accordingly, this response is timely filed.

Applicants thank the Examiner and his Supervisor for taking the time to discuss this matter. As confirmed by Supervisor Ram Shukla in a telephone call on May 5, 2006, Applicants do not need to submit a response to the Restriction Requirement, a CRF or new Sequence Listing as a response to the same Restriction Requirement, a CRF and a Sequence Listing were already submitted on December 26, 2001, in response to the Restriction Requirement mailed November 27, 2001. Another CRF and Sequence Listing were provided on November 15, 2002 with a Petition to Withdraw Holding of Abandonment. This Petition was ultimately granted.

Each of these filings appears on the appended PAIR printout from the U.S. Patent and Trademark Office. See, e.g., the following dates on the Transaction History: 11/27/01; 12/26/01; 11/24/02; and 12/13/02. As shown in the appended response to the Restriction Requirement, Applicants elected to proceed with Group I, claims 1-38. However, the Examiner explained that

Applicants are required to amend the specification to insert sequence identifiers. Accordingly, the specification is amended below.

Reconsideration of the application in view of the following amendments is respectfully requested.

**Amendments to the Specification** begin on page 3 of this paper.

**Remarks** begin on page 6 of this paper.